U.S. Serial No. 10/574,924 Matter No. 2006_0499A September 9, 2009

REMARKS

Further and favorable reconsideration is respectfully requested in view of the foregoing amendments and following remarks.

Claims 15-22 were pending when examined. By this Amendment, claim 21 is cancelled.

The Examiner rejects claim 21 under 35 U.S.C. § 101 because the claimed recitation of a use, without setting forth any steps involved in the process, results in an improper definition of a process. The Examiner also objects to claim 21 under 37 C.F.R. 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. By this Amendment, claim 21 is cancelled, rendering the rejection and objection moot.

The Examiner provisionally rejects claim 22 on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1-13 of copending Application No. 11/798,245. Applicants submit concurrently herewith a Terminal Disclaimer obviating the provisional rejection.

In view of the foregoing amendments and remarks, and the Terminal Disclaimer, it is submitted that the rejections and objection set forth by the Examiner have been overcome, and that the application is condition for allowance. Such allowance is solicited.

Should the Examiner find that anything further would be desirable in order to place the application in better condition for allowance, he is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

Teruhiko HORIGOME et al.

Andrew B. Freistein Registration No. 52,917

Attorney for Applicants

AES/ABF/vah Washington, D.C. 20005-1503 Telephone (202) 721-8200 Facsimile (202) 721-8250 September 9, 2009